



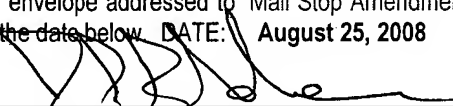
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re  
Application of: Harris, et. al.  
  
Group No.: 2886  
  
Examiner: Tara S. Pajoohi  
  
Serial No.: 10/699,522  
  
Docket No. 88030078  
  
Filed: October 31, 2003  
  
For: **Non-Contact Profile Measurement System**

**Certificate of Mailing**

I hereby certify that this correspondence, and attachments, if any, is being deposited with the United States Postal Service by First Class Mail, postage prepaid, in an envelope addressed to "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below. DATE: **August 25, 2008**

  
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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

MAIL STOP: Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Notice of Non-Compliant Amendment mailed 06/27/2008 has been carefully considered.

It is noted that this Notice indicates that the amendment document filed in connection with the referenced matter on February 29, 2008 is considered to be non-compliant because it has failed to meet certain requirements of 37 CFR §1.121 or 1.4. In particular, the notice indicates that the amendments to the claims that were submitted are

non-compliant because, the claims of the amendment paper have not been presented in ascending numerical order.

The undersigned has reviewed a copy of the amendment papers submitted herein and notes that the amended claims shown in our copy are to the best of our understanding in fact set out in a **consecutive** and **ascending** numeric order beginning, with claim 1 (having the lowest numeric value) being first presented and ending with claim 50 (having the greatest numeric value) being finally presented. In view of this, the undersigned is of the belief that the amendment, as originally submitted, does in fact set out the claims in a consecutive and ascending numeric order. In view of this, the undersigned respectfully requests that the Notice be withdrawn and the amendment as originally submitted herein be entered for consideration. A copy of pages 2 – 8 of the response and amendment as originally submitted on February 29, 2008 is attached hereto for the examiners reference.

If by some chance the undersigned has misunderstood the basis/nature of the non-compliance, clarification and further explanation is requested. More particularly, it would be most appreciated if some specific details of how the amendment fails to comply with the requirements of the patent office and what specific changes need be made would be provided.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (678) 352-0103.

Respectfully submitted,

**Biddle & Associates, P.C.**

By: 

Robert P. Biddle

(Reg # 35, 826)